

Studies in Intelligence (2003)

DECLASSIFIED AND RELEASED BY  
CENTRAL INTELLIGENCE AGENCY  
SOURCES METHODS EXEMPTION 3B2B  
NAZI WAR CRIMES DISCLOSURE ACT  
DATE 2003 2008*Intelligence Missteps***Kurt Waldheim and the Central Intelligence Agency (U)**

Kevin C. Ruffner

“  
The Waldheim case represented a CIA failure on several levels that stretched over decades.  
”

All statements of fact, opinion, or analysis expressed in *Studies in Intelligence* are those of the authors. They do not necessarily reflect official positions or views of the Central Intelligence Agency or any other US Government entity, past or present. Nothing in the contents should be construed as asserting or implying US Government endorsement of an article's factual statements and interpretations.

Kevin C. Ruffner is in the CIA Directorate of Intelligence. (U)

CL BY: [ ] [ ]  
CL REASON: 1.5 (c)  
DECL ON: X1  
DRV FROM: MIS 1-87

In 1986, the world discovered that Kurt Waldheim, former Secretary General of the United Nations and a candidate for Austria's presidency, had served as a Wehrmacht staff officer in the Balkans during World War II. While Waldheim had never denied that he had been in the German army, his 1985 autobiography left the impression that his military service had been curtailed after he received wounds in late 1941 on the Russian front and that he had gone on to law school in Vienna.<sup>1</sup> Forty years after World War II, however, investigations uncovered the fact that *Oberleutnant* Waldheim had held staff positions in army-level commands in Yugoslavia and Greece until the end of the war. The brutal nature of the war against local partisans and Allied commandos in the Balkans, coupled with Nazi Germany's violent treatment of civilians, including Jews, and Italian prisoners of war after 1943, raised questions

<sup>1</sup> Kurt Waldheim, *In the Eye of the Storm: A Memoir* (Bethesda, MD: Adler and Adler, 1986). Waldheim's book had been published in England a year earlier. The German-language version of his memoir—*Im Glaspalast der Weltpolitik* (Dusseldorf and Vienna: Econ Verlag, 1985)—contains a few more details about his military service, including the fact that he served until 1945. Waldheim's other publications—*The Challenge of Peace* (London: Weidenfeld and Nicholson, 1980) and *Building the Future Order: The Search for Peace in an Interdependent World* (New York, NY: The Free Press, 1980)—do not discuss his pre-UN activities. Waldheim was Secretary General from 1972-1982. (U)

about Waldheim's own activities and his knowledge of the German atrocities.<sup>2</sup> (U)

Allegations about Waldheim's military service prompted US Attorney General Edward Meese to direct the Office of Special Investigations (OSI) in the US Department of Justice to open an investigation in March 1986 to determine whether he should be excluded from entering the United States under the provisions of the "Holtzman Amendment."<sup>3</sup> A year later, Meese announced that Waldheim had been placed on the "Watch List" of war criminals excluded from entry into the United States. In this unprecedented move, the

<sup>2</sup> In addition to investigations of Kurt Waldheim carried out by the World Jewish Congress and the Austrian magazine *Profil*, the Austrian government, the British government, and a panel of military historians conducted separate inquiries. Thames Television also produced a televised "trial" of Waldheim in June 1988 titled "Waldheim: A Commission of Inquiry." Jack Saltman, the show's producer, published his research for Thames Television in *Kurt Waldheim—A Case to Answer?* (London: Robson Books, 1988). For further information on the Waldheim case, see Richard Bassett, *Waldheim and Austria* (New York, NY: Viking Press, 1989); Alan Levy, *The Wiesenthal File* (Grand Rapids, MI: William B. Eerdmans Publishing Company, 1993); Eli M. Rosenbaum, with William Hoffer, *Betrayal: The Untold Story of the Kurt Waldheim Investigation and Cover-Up* (New York, NY: St. Martin's Press, 1993); Luc Rosenzweig and Bernard Cohen, *Waldheim*, trans. by Josephine Bacon (New York, NY: Adam Books, 1987); Simon Wiesenthal, *Justice, Not Vengeance* (London: Weidenfeld and Nicholson, 1989); and Harold H. Tittman III, *The Waldheim Affair: Democracy Subverted* (Dunkirk: Olin Frederick, 2000). (U)

COORDINATION WITH DoJ/OSI

SECRET//X1 51



UNCLASSIFIED FOR OFFICIAL USE ONLY  
Austrian President Waldheim in his office in the former Imperial Castle of the Hapsburgs, 1988. (U//FOUO)

US government formally prohibited Waldheim, who had been elected Austria's president in June 1986, from visiting America in either an official or unofficial capacity.<sup>4</sup> To this day, the United States excludes Waldheim. (U)

<sup>3</sup> Named after Congresswoman Elizabeth Holtzman of New York, Public Law 95-549 amended the Immigration and Naturalization Act of 1952 to incorporate the language and intent of the 1948 Displaced Persons Act and the 1953 Refugee Relief Act to "exclude from admission into the United States aliens who have persecuted any person on the basis of race, religion, national origin, or political opinion, and to facilitate the deportation of such aliens who have been admitted into the United States." United States Code, Congressional and Administrative News, 95th Congress-Second Session 1978, Vol. 4: Legislative History (St. Paul: West Publishing Company, 1979), pp. 4700-4716. (U)

<sup>4</sup> Leslie Maitland Werner, "Waldheim Barred from Entering U.S. over Role in War," *New York Times*, 28 April 1987, pp. A1 and 28. (U)

From start to finish, the Waldheim case was a public affairs disaster for the Central Intelligence Agency. It represented a failure on several levels that stretched over decades. Incomplete research into his background, delays in releasing a key document, and a cavalier attitude toward members of Congress unnecessarily raised suspicions that the Agency was covering up a clandestine relationship with the Austrian statesman. (U)

The Waldheim experience yields important lessons. Chances are high that leaders with unsavory pasts will rise to prominence in the 21st century. Evaluation of their suitability as world leaders will rest on painstaking historical research. (U)

### Little Early Interest in Waldheim (U)

The Agency did not consider Waldheim of intelligence interest until after he was elected Secretary General of the United Nations in late 1971. He had a normal, if not distinguished, career as an Austrian diplomat in the immediate postwar decades. Agency files contained a few scattered references to his work in the Austrian Foreign Ministry during the 1950s, but no thorough background check was run on him until he rose to the top leadership position at the UN. A Directorate of Operations (DO) "201 file" (also called a "name file" or "personality file") was not even created for Waldheim until January 1972.<sup>5</sup> (S//NF)

In connection with Waldheim's various diplomatic responsibilities

<sup>5</sup> The Agency opened its "201" file on Kurt Waldheim on 10 January 1972. (U)

The 201 system provides the Agency with a method for identifying a person of specific interest to the DO and for controlling and filing all pertinent information about that person in a single place. DO components can create such a file and assign a seven-digit file number to an individual when there is a reasonable expectation that additional information will be acquired on that person. Normally, a 201 file will be opened when a Main Index search reveals substantive information on the individual in five or more documents. The Headquarters 201 file is the official file containing all biographic reporting on and references to the individual, including personal history and operational assessments. DO Instruction No. 70-41, "The 201 System," 11 August 1994, (S//NF), copy located in CIA History Staff files. See also Cable, Director to DO/ (U) 11 January 1972, Director 219/14, (S//NF), in Kurt Waldheim, File 201-0896881, Records of the Directorate of Operations (hereafter cited as Waldheim, File 201-0896881, DO Records). (S//NF)

“  
Waldheim was, in the  
agent's words, a  
'colorless bureaucrat.'  
”

ties, the Directorate of Intelligence (DI) published some 20 routine biographic profiles of the statesman between 1964 and 1987. The first profile, written when he was Austria's ambassador to the United Nations, did not even list his military service.<sup>6</sup> When he became Secretary General, his DI biographic report noted that he had served in the German army and had been wounded. This profile went on to comment:

*Waldheim is a devoted friend of the United States, and he has been very cooperative and helpful in promoting US interests. When he was Foreign Minister, his personal cooperation was particularly effective in confidentially working out Austrian formulations acceptable to the United States covering such subjects as Vietnam, the Middle East and European security. His long service in the United States has given him an understanding of American thinking and foreign policy objectives.*<sup>7</sup> (U)

In early January 1972, shortly after Waldheim's swearing in as UN chief, the CIA queried its clandestine sources about rumors that he had been a member of the Nazi party.<sup>8</sup> One source denied "emphatically" that Waldheim

<sup>6</sup> Biographical profile, "Kurt Waldheim", July 1964, in Kurt Waldheim "CIA Name File," National Archives and Records Administration, College Park, Maryland (hereafter cited as NARA). (U)  
<sup>7</sup> Directorate of Intelligence, Intelligence Memorandum, "Kurt Waldheim of Austria: Secretary General of the United Nations," January 1972, in "CIA Name File," NARA. (U)

had ever belonged to the National Socialist German Workers' Party, or NSDAP, although the source knew that Waldheim had served as a staff officer in the German army. According to the report from this source, Waldheim "never had to make a serious decision himself and he always had superiors who would take the responsibilities for decision and action." He was, in this agent's words, a "colorless bureaucrat."<sup>9</sup> (S/NF)

Headquarters took other steps that year to check on Waldheim, requesting its base in [redacted] to check with the State Department's Berlin Documents Center to see if he had a Nazi party membership file.<sup>10</sup> The base reported that while there were three men with the same name in

<sup>8</sup> For the first inquiry, see Cable, DO [redacted] to Director, 4 January 1972, DO [redacted] 20776, IN 505612, (S/NF), in Waldheim, File 201-0896881, DO Records. (S/NF)

<sup>9</sup> Cable, DO [redacted] to Director, 5 January 1972, [redacted] 20787, IN 506467, (S/NF), in Waldheim, File 201-0896881, DO Records. (S/NF)

<sup>10</sup> At the end of the war, the US Army had uncovered the membership records of the Nazi party just before their destruction. These records subsequently were transferred to Berlin and formed the basis of the Army's 7771 Document Center. In 1953, the State Department assumed responsibility for what became known as the Berlin Documents Center, or BDC. In addition to some ten million NSDAP membership cards, the Center contains thousands of records related to other Nazi organizations, including the service files of SS officers. After years of discussion, the United States relinquished control of the BDC to the German government in 1994. (U)

the Nazi party, it found no trace that the UN Secretary General had joined the party. "Wish [to] point out," [redacted] cabled, "[that] negative trace at BDC not absolute guarantee that individual being traced was not member OS [Austrian] NSDAP. Although it is presumed that master NSDAP card file [is] complete there [is] no way [of] being positive this source."<sup>11</sup> (S/NF)

The Agency's Station in [redacted] also queried a source who "reiterated that he considers it very unlikely that Waldheim [was] member NSDAP, pointing out that Waldheim's father [was] fired from his post by Nazis." This source added that "the rumor [of Waldheim's Nazi membership] might have arisen from stories (which he could not vouch for) that Waldheim during WWII service as a staff officer in Paris had reputation as 'knowing Paris' and arranging gay evenings for VIPs." The Station could not find any information detailing Waldheim's wartime service and concluded that it was unlikely he could have been a Nazi, given his postwar duties in the Austrian Foreign Ministry.<sup>12</sup> (S/NF)

After this initial examination in January 1972, the Agency did not take any further steps to investigate Waldheim's wartime service. Instead, DO files indicate that

<sup>11</sup> See Cable, Headquarters to [redacted] 7 January 1972, Director 219136. OUT 219436, (S/NF), and Cable, [redacted] to Headquarters, 12 January 1972, [redacted] 15294, IN 511536, (S/NF), both in Waldheim, File 201-0896881, DO Records. (S/NF)

the CIA simply kept tabs on the Austrian leader's official travel, his personal habits, and the activities of his staff. (S/NF)

### The Media Stir the Pot (U)

Waldheim's World War II activities attracted occasional attention in the United States. *The New Republic* published two articles on the United Nations and Waldheim in 1980, which drew the attention of Stephen J. Solarz, a Democratic Congressman from New York.<sup>13</sup> He wrote Waldheim and Adm. Stansfield Turner, then the Director of Central Intelligence (DCI), in late 1980 with several questions about the Secretary General's record.<sup>14</sup> On the last day of 1980, Frederick P. Hitz of the CIA's Office of Legislative Counsel replied to Solarz: "We believe that Waldheim was not a member of the Nazi Youth Movement, nor was he involved in anti-Jewish activities." Hitz then

<sup>12</sup> Cable, [redacted] Headquarters, 17 January 1972 [redacted] 14703, IN 514662, (S/NF). For clarification about Station's use of "gay," see Cable, DO [redacted] [redacted] 20 January 1972, [redacted] [redacted] 10, IN 514662, (S/NF), and Cable, [redacted] [redacted] to DO/ [redacted] [redacted] 21 January 1972, [redacted] [redacted] 14748, IN 018964, (S/NF), all in Waldheim, File 201-0896881, DO Records. (S/NF)

<sup>13</sup> For example, see Shirley Hazard, "The League of Frightened Men," *The New Republic*, 19 January 1980, pp. 17-20. (U)

<sup>14</sup> Waldheim's 19 December 1980 reply to Solarz is located in the Austrian's 201 file. In his letter, Waldheim reaffirmed his family's anti-Nazi stance and maintained that he had gone to law school after his release from the German Army. Solarz's letter to the DCI is not in the file. For details about this correspondence, see Shirley Hazard, *Countenance of Truth: The United Nations and the Waldheim Case* (New York, NY: Viking, 1990). (U)

“

The CIA did not follow up on fresh clandestine reports in 1981 that raised questions about Waldheim's whereabouts from 1941 to 1945.

”

provided Solarz with a brief synopsis of Waldheim's military record, commenting that he had entered the German army at the age of 20 in 1939 and then served as a staff officer with the 45th Infantry Division in Poland and France. Hitz continued that Waldheim's "service with [the 45th] Division ended in 1941 when he received a leg wound" in the Soviet Union. After a lengthy recovery, Waldheim was discharged from the German army and returned to law school in Vienna, Hitz told Solarz. Waldheim received his degree in 1944 and entered the Foreign Ministry in 1945. The Agency could not find any indications that Waldheim had "participated directly or indirectly in anti-Jewish activities."<sup>15</sup> (U)

### New Information (U)

After telling Solarz what it knew as of 1980, the CIA did not fol-

<sup>15</sup> See Hitz to Solarz, 31 December 1980, OLC 80-2248/a, in Waldheim, File 201-0896881 DO Records. Hitz's letter, signed by [redacted] [redacted], had been based upon research conducted by [redacted] [redacted] See also [redacted] [redacted] Memorandum for the Record, "Inquiry Concerning UN Secretary General Waldheim," 9 March 1981, in Waldheim, File 201-0896881, DO Records. (U)

low up on fresh clandestine reports in 1981 that raised new questions about Waldheim's whereabouts from 1941 to 1945. A source provided a letter from a West German publisher that claimed that Waldheim served as an "aid[e]" to a German general on the Eastern Front who commanded a unit of Russian Cossacks fighting for the Third Reich. An additional report stated that Waldheim commanded a special unit behind Soviet lines and that the Russians had captured him. According to this source, the Soviets released Waldheim while they executed other German officers for war crimes. Consequently, "Waldheim has never forgotten what the Soviets did for him, and this would explain his lenience toward the USSR."<sup>16</sup> (S/NF)

Headquarters apparently dismissed these reports. In a message from Washington to various stations in December 1981, the Agency reiterated its faith in the standard biographic line: "The fact that Waldheim has enjoyed a public career of some 35 years without having been 'exposed' in the past through any associations with the Nazis, suggests that such allegations have no basis."<sup>17</sup> The Agency held to this understanding of Waldheim's military activities into the mid 1980s. (S/NF)

<sup>16</sup> Deferred Telepouch, DCD, [redacted] [redacted] to Washington, "Information on Secretary General of UN" 8 December 1981, DCD/ [redacted] [redacted] 14264, (S/NF), in Waldheim, File 201-0896881, DO Records. (S/NF)

“  
**Department of Justice  
 findings prompted the  
 Attorney General to  
 place Waldheim on the  
 immigration Watch  
 List in 1987.**”

”

#### Murky Web Unravels (U)

In 1986, the World Jewish Congress (WJC) and the *New York Times*, responding to press reports and political gossip in Austria about Waldheim, delved more deeply into captured German records at the National Archives and quickly found incriminating information. (U)

Over the next three years, the WJC, OSI in the Department of Justice, the Austrian government, the British government, and an independent panel of military historians conducted separate investigations, which revealed that Waldheim's military service had been far more extensive than he had led the world to believe. In an unprecedented report, OSI concluded that Waldheim had "assisted, or otherwise participated in the persecution . . . [of] person[s]

<sup>17</sup> *Deferred Telenough*, EUR/SAR to DCD, [ ] "Information on Secretary General Waldheim," 23 December 1981, [ ] 103304, (S/NF), in Waldheim, File 201-0896881, DO Records. (S/NF)



UNCLASSIFIED FOR OFFICIAL USE ONLY  
 Proof of Waldheim's presence in the Balkans: He stands second from left in this photograph of senior German and Italian officers at the airstrip in Podgorica, Montenegro, May 1943. (U//FOUO)

because of race, religion, national origin or political opinion." The Department of Justice also cited Waldheim's participation in the transfer of civilians to the SS for slave labor; the mass deportation of civilians to death camps; the utilization of anti-Semitic propaganda; the mistreatment and execution of Allied prisoners of war; and the reprisal execution of civilians. OSI's findings prompted the Attorney General to place the Austrian leader on the immigration Watch List in 1987.<sup>18</sup> (U)

#### Seeking Explanations (U)

The extent of Waldheim's service in the German army in the Bal-

kans became abundantly clear after these investigations, yet questions lingered as to how he had avoided detection for so many years. Hitz's letter to Congressman Solarz in December 1980, essentially exonerating Waldheim, created the impression that the Agency sought to protect the Austrian diplomat. Solarz, testifying at a Congressional hearing in 1986, blasted the CIA's response because "it looked as if it had come off

<sup>18</sup> A summary of the OSI case against Waldheim is found in US Department of Justice, Criminal Division, *In the Matter of Kurt Waldheim* (Washington, DC: US Department of Justice, 1987), pp. 1-3 (hereafter cited as the Waldheim Report). Prepared in April 1987, the OSI report was not released until 1994. (U)



UNCLASSIFIED FOR OFFICIAL USE ONLY  
Waldheim (top right) as shown on the front page of a Wehrmacht newspaper in December 1944. Here, seen pouring over maps with Gen. Alexander Loehr (center), later hanged as a war criminal. (U//FOUO)

Mr. Waldheim's xerox machine." The Agency's investigation, Solarz declared, "was incompetent at best and indifferent at worst."<sup>19</sup> (U)

New information fueled the confusion about Waldheim's relationship to the Americans:

- In 1948, the US Army had placed Waldheim on its Central Registry of War Criminals and Security Suspects (CROW-CASS) while the United Nations War Crimes Commission (UNWWC) indicted him for

<sup>19</sup> US Congress, House of Representatives, Subcommittee on Human Rights and International Organizations of the Committee on Foreign Relations, *Allegations Concerning Dr. Kurt Waldheim*, 99th Cong., 2nd sess., 22 April 1986, p. 5. (U)

murder at the insistence of the Yugoslavs. It was uncertain how Waldheim had evaded these charges.

- In 1986, Karl Gruber, Austria's first postwar Foreign Minister, acknowledged that Fritz Molden, an Austrian who worked for the Office of Strategic Services (OSS) and was DCI Allen Dulles's son-in-law, had first proposed that the young Austrian lawyer join the diplomatic corps only months after the war's end.<sup>20</sup> Molden furthermore claimed that he had appointed Waldheim to this new post not only after checking with Austrian officials as to Waldheim's Nazi record, but also with American occupation authorities, including the Army's Counter Intelligence Corps (CIC) and the OSS.<sup>21</sup>

- Further examination of Waldheim's postwar actions revealed that he had supported the Yugoslavs and the Soviets on a number of issues, lending credence to suspicions that more than one nation wanted to protect him. (U)

#### CIA Missteps (U)

As revelations about Waldheim's unsavory background mounted, the Agency compounded its bland December 1980 letter to Con-

<sup>20</sup> Gruber testified in the US Congress as to his relationship with Waldheim. See *Ibid.*, pp. 36-37, and Rosenbaum, *Betrayal*, pp. 174-175. (U)

<sup>21</sup> Molden's account can be found in the Austrian government's "White Book," which also examined Waldheim's wartime service and rebutted accusations that he was a war criminal. See *Kurt Waldheim's Wartime Years—A Documentation* (Vienna: Carl Gerold's Sohn, 1987). (U)

gressman Solarz with an unfortunate series of blunders. Congressional figures demanded that the CIA provide answers to the allegations that Waldheim had enjoyed a special relationship with American intelligence. Representative Lee H. Hamilton, chairman of the House Permanent Select Committee on Intelligence (HPSCI), Representative Solarz, and Senator Alphonse D'Amato all asked for full access to the Agency's holdings.<sup>22</sup> The Agency's response was perfunctory—it simply reiterated the known "facts" in its Congressional correspondence and in briefings to both oversight committees in Congress.<sup>23</sup> In one case, the CIA even relegated a request from Solarz to the channels of the Agency's Freedom of Information Act (FOIA) office.<sup>24</sup> (U)

As Congressional interest mounted, however, the CIA undertook an expanded search,

<sup>22</sup> Hamilton to Casey, 24 March 1986; Solarz to Director, Office of General Counsel, 27 March 1986, OGC 86-01340; D'Amato to Casey, 10 April 1986, ER 86-1625X; all in Waldheim, File 201-0896881, DO Records. (U)

<sup>23</sup> For examples, see "HPSCI Chairman Hamilton's and Congressman Solarz's Request for Information on Kurt Waldheim," 25 April 1986, (S//NF); David D. Gries, Director of Congressional Affairs to Hamilton, 25 April 1986, OCA 86-1361(S//NF); Gries to D'Amato, 29 April 1986, OCA 86-1394; [ ] Deputy Director for Senate Affairs to Bernard McMahon, Staff Director, Senate Select Committee on Intelligence, 28 April 1986, OCA 86-1378, (S//NF); and Gries to Solarz, 1 May 1986, OCA 86-1425, (S//NF), all in Waldheim, File 201-0896881, DO Records. (S//NF)

<sup>24</sup> See Solarz to [ ] Freedom of Information Act Officer, 8 April 1986, F86-0431, and Gries to Solarz, 1 May 1986, OCA 86-1425, (S//NF), both in Waldheim, File 201-0896881, DO Records. (S//NF)

“  
**The Agency provided details of the British World War II report to Congress, but refused to release it in its entirety to FOIA requesters.**  
”

locating several additional documents that contained references to a “Waldheim” that were not in Kurt Waldheim’s 201 file.<sup>25</sup> At first, the Agency could not ascertain whether they referred to the Austrian president. One document in particular, quickly drew Congressional interest and later media attention. A British intelligence brief from 26 April 1945—known as Security Intelligence Middle East (S.I.M.E.) Report Number 4—contained the interrogation of Hans Jurgen Kirchner, a captured German intelligence officer. In the report, Kirchner listed some 238 German intelligence personnel stationed in the Balkans and elsewhere in Europe.<sup>26</sup> An unremarkable document overall, the S.I.M.E. report made a short reference on page 47 to *Oberleutnant* Waldheim. Kirchner briefly described Waldheim as a “subordinate officer to WARNSTORFF in SALONIKA” and provided some general physical characteristics, such as his height, age, hair, and eye color. Immediately below the Waldheim entry is a similar, although slightly more detailed, description of *Oberstleutnant* Warnstorff. (C)

The British had provided the S.I.M.E. report to the Americans

<sup>25</sup> [ ] Chief, Operations Group to [ ] EPS/LG, “Waldheim, Kurt,” 25 April 1986, DOR-02215, (S//NF), in Waldheim, File 201-0896881, DO Records. (S//NF)

<sup>26</sup> S.I.M.E. Report No. 4, 26 April 1945, originally filed as XARZ-8307 in Rome-X-2-PTS-113, XARX-8307, (S//NF), is now found in Waldheim, File 201-0896881, DO Records. (S//NF)

at the end of the war. It was filed at OSS Headquarters in Washington and later transferred to the new CIA in 1947. It had resided in the CIA’s files for decades after the war, but had not been cross-referenced or placed in Waldheim’s 201 file when it was created in 1972. Because of its British origins, the report had not been transferred to the National Archives in the 1980s with the bulk of OSS holdings. It is unlikely that this document would have been scrutinized at all without the worldwide interest in Waldheim in 1986. (C)

**The S.I.M.E. Report Becomes a Cause Célèbre (U)**

The CIA provided details of the report’s contents in response to Congressional inquiries in 1986, but it refused to release the report in its entirety to FOIA requesters. The Agency explained that it could not declassify the report because Executive Order 12356 and US Code 403g of the Central Intelligence Agency Act of 1949 required the CIA to protect foreign government information in addition to protecting sources and methods.<sup>27</sup> (C)

Having been apprised of the report’s general contents in 1986, a year later Congressman Solarz demanded that the Agency release the document to the public. “I find this information,” Solarz declared, “both surprising and distressing in light of the assurances given me in 1980 that no such reporting existed.”<sup>28</sup> In late 1987, David D. Gries, director of the Office of Congressional Affairs, told Solarz that “the 1945 document [the S.I.M.E. report] you cite is not relevant, nor does it speak to your concerns. By way of explanation, we did have the reference to an *Oberleutnant* Waldheim when we responded to your 1980 request. However,” Gries admitted, “at that time, all other available information placed Kurt Waldheim in a civilian capacity in 1945 after being wounded in 1942. The one incomplete reference, which was extracted in our 1986 letter to you, was not adequate evidence to contradict all other known information on the then-Secretary General, and so our 1980 letter to you did not mention it.”<sup>29</sup> (S)

Knowledge of the existence of the 1945 report quickly spread. The

<sup>27</sup> The Agency refused to release the report in response to a FOIA request by the World Jewish Congress. See Lee S. Strickland, Information and Privacy Coordinator to Eli M. Rosenbaum, World Jewish Congress, 9 June 1987, in Waldheim, File 201-0896881, DO Records. (U)

<sup>28</sup> Solarz to the DCI, 23 October 1987, ER 87-4677x, in Waldheim, File 201-0896881, DO Records. (U)

<sup>29</sup> Gries to Solarz, 16 November 1987, OCA 87-5713. For background material to Gries’s reply, see [ ] to Chief, EUR Division, “Congressman Solarz’s Request for Information on Kurt Waldheim,” [undated], (S), both in Waldheim, File 201-0896881, DO Records. (S)

Agency refused requests from the World Jewish Congress to release it. In an effort to bolster Waldheim's case that he was not a Nazi war criminal, the Austrian Embassy in Washington telephoned the CIA in October 1987 and asked that the Americans provide a copy of the report.<sup>30</sup> According to a memo written by Lee S. Strickland, the Agency's Information and Privacy Coordinator: "The Embassy was highly concerned about the recent spate of news articles which have variously, but all erroneously, stated that the CIA knew Kurt Waldheim was involved in Nazi activities and/or was an agent of American intelligence." After a lengthy discussion, Strickland convinced Christian Prosel, the Austrian counselor, that his government should make a formal request through their ambassador or liaison officer.<sup>31</sup> The following day, the Austrian Embassy passed a note to the State Department expressing its desire to receive a full or redacted copy of the report.<sup>32</sup> (U)

The official Austrian request presented a new problem for the Agency because it still had an obligation to protect intelligence provided by a foreign govern-

ment from dissemination to another foreign power. The Agency approached its British counterparts with an unusual request: Could the British permit the United States to provide the Austrians with a copy of the 1945 S.I.M.E. report pertaining to Waldheim and his superior officer? After a week of deliberation, the British government agreed to release the portion of the report with the brief references to Waldheim and Warnstorff. The Americans, however, could only pass this information to the Austrians with the express indication that the material still retained its secret classification and that it came only from "an allied government."<sup>33</sup> In early November 1987, the CIA passed the sanitized section to the State Department for transfer to the Austrian government.<sup>34</sup> (S)

### Steady Criticism (U)

Waldheim dismissed the S.I.M.E. report after the Austrian government received the sanitized portion. An independent panel of military historians looking into Waldheim's role also had little use for it.<sup>35</sup> Despite the overall insignificance of the references,

however, the British press seized upon leaked information about the 1945 report as evidence that Her Majesty's Government was refusing to support the Waldheim investigation by withholding the entire report. A Reuters dispatch quoted an unnamed source that "the United States cannot, in accordance with its agreement with the British, release the document without British permission."<sup>36</sup> Indeed, the British had apparently lost the S.I.M.E. report in the years after the war and the copy in the CIA's files turned out to be the only surviving example. In 1988, the Directorate of Operations expressed its overall willingness to release the entire report provided that American markings were removed. The British, however, preferred to "hold firm to principle of not releasing any intel docs, no matter how old or innocent."<sup>37</sup> (S)

With its hands tied by the British, the CIA absorbed a steady stream of criticism over the

<sup>30</sup> "Austria Seeks Waldheim File," *The Washington Post*, 21 October 1987, p. A30. (U)

<sup>31</sup> Lee S. Strickland, Privacy and Information Coordinator to DDA, et. al., "Inquiry from Embassy of Austria," 21 October 1987, (S), in Waldheim, File 201-0896881, DO Records. The Austrians probably were reacting to such press accounts as "New Links to a Nazi Past?," in *Newsweek*, 5 October 1987, p. 9. (S)

<sup>32</sup> Austrian Embassy, Verbal Note, 22 October 1987, in Waldheim, File 201-0896881, DO Records. (U)

<sup>33</sup> [redacted] Chief, EUR Division, to Strickland, "Release of Information," 30 October 1987, (S), in Waldheim, File 201-0896881, DO Records. (S)

<sup>34</sup> Strickland to Amb. Rozanne L. Ridgway, Assistant Secretary of State for European and Canadian Affairs, 5 November 1987, (S/NF), in Waldheim, File 201-0896881, DO Records. The Austrian government used the S.I.M.E. Report as a part of its "White Book" on Waldheim. (S)

<sup>35</sup> International Commission of Historians, *The Waldheim Report* (Copenhagen: Museum Tusulanum Press, 1993). (U)

<sup>36</sup> Arthur Spiegelman, "British Blocking CIA from Releasing Waldheim Document," *Reuters*, 2 March 1988. (U)

<sup>37</sup> Cable, Headquarters to [redacted] "Press Reports on Kurt Waldheim," 1 March 1988, Director 928635, (S), in Waldheim, File 201-0896881, DO Records. A few days later, Headquarters informed [redacted]

that "British FCO and MOD are now inclined to quote from and possibly even release 26 Apr 45 S.I.M.E. document as part of Commando investigation and to counter increasingly fantastic press claims as to its content." The Agency told the British that "we cannot strongly object to British release, and that copy being released can even be sourced to USG (or if necessary [CIA]) archives since [CIA] has already surfaced in the press as holder of doc." See Cable, Headquarters to [redacted] "Waldheim Reports/Document," 5 March 1988, Director 937491, (S/NF), in Waldheim, File 201-0896881, DO Records. (S)

“

**Congressman Solarz  
demanded that the  
Agency inform him if  
the OSS had conducted  
any interrogations of  
Waldheim.**

”

years. In 1988, Congressman Solarz demanded that the Agency reveal the contents of the 1945 report and inform him if the OSS had conducted any interrogations of Waldheim. The Agency's response was again bland and suggested that Solarz contact other Federal agencies, such as the National Archives and the US Army, for answers to his queries.<sup>38</sup> In 1989, the British government cleared Waldheim of any role in the deaths of British military personnel in Greece during World War II and finally released a sanitized version of the 1945 S.I.M.E. report, but London neglected to inform the CIA of its action.<sup>39</sup> Consequently, the Agency continued to withhold the British World War II report until it was finally declassified in 2001. By that time, British intelligence officials had no interest in the S.I.M.E. report and expressed surprise that the CIA had kept it under wraps for so long. (U)

The British exoneration of Waldheim in 1989 brought about

<sup>38</sup> Solarz to DCI, 3 May 1988, ER 88-1931x, and Director of Congressional Affairs John L. Helgerson to Solarz, 8 June 1988, OCA 88-1735; both in Waldheim, File 201-0896881, DO Records. (U)

<sup>39</sup> Ministry of Defence, *Review of the Results of Investigations Carried Out by the Ministry of Defence in 1986 into the fate of British Servicemen Captured in Greece and the Greek Islands between October 1943 and October 1944 and the Involvement, If Any, of the Then Lieutenant Waldheim* (London: Her Majesty's Stationery Office, 1989). See also Michael Evans, "Waldheim 'Not Linked to Shooting of Britons,'" *The Times* (London), 11 October 1989, p. 24; Michael Evans, "MoD Report Clears Waldheim of Blame over War Murders," *The Times* (London), 18 October 1989, p. 8. (U)

a wave of fresh criticism against the CIA. In November of that year, A. M. Rosenthal, a columnist for the *New York Times*, recited the story of the CIA's 1972 check on the then-new Secretary General, the Agency's letter to Congressman Solarz in 1980, and the saga of the 1945 British report. Rosenthal quoted Robert E. Herzstein, a University of South Carolina historian and author of a newly published book on Waldheim, who asserted: "Now there is proof that the C.I.A. investigated Waldheim, cleared him, declared him to be of operational interest and shielded him. It did so while having in its files at least one document placing Dr. Waldheim in the Balkans, a fact which if published would have unveiled a thirty year cover-up." Rosenthal, citing Herzstein's research, urged Congress to open the Agency's Waldheim file, "or what remains of it," to determine whether the former UN Secretary General was an American "operational asset."<sup>40</sup> (U)

<sup>40</sup> A. M. Rosenthal, "The Waldheim File," *New York Times*, 24 November 1989, p. A35. Herzstein presents his case in his book, *Waldheim: The Missing Years* (New York, NY: Arbor House/William Morrow, 1988). (U)

A week later, the World Jewish Congress unveiled its copy of the S.I.M.E. report obtained from "contacts in Europe." "What you have here," Elan Steinberg, the WJC's executive director declared, "is the C.I.A. not only confirming Waldheim's big lie, which is to say his coverup, but a document showing that the C.I.A. knew and, in fact, has known for 40 years that that was a big lie." The World Jewish Congress maintained that the Agency knew about Waldheim's "secret" past even as he was confirmed as UN Secretary General in 1971 and later when the CIA responded to Solarz's inquiry.<sup>41</sup> (U)

The reaction to the WJC's release was immediate. In an article titled "CIA Held File on Waldheim War Role," *The Washington Post* claimed that an unidentified US government source had confirmed that the document obtained by the WJC was genuine and had been in the CIA's files. An Agency spokesman, however, offered no comment and simply replied, "it will take time to investigate this." *The Washington Post* also quoted Prof. Herzstein about why the CIA had this document, but had not reported on Waldheim's military service in the Balkans. "I have to assume there was a pattern of protection," said Herzstein. "It is conceivable that Waldheim could have been an agent of influence or a source of

<sup>41</sup> Dennis Hevesi, "CIA Document Said to Contradict Waldheim," *New York Times*, 30 November 1989, p. A13. (U)



UNCLASSIFIED FOR OFFICIAL USE ONLY  
*Washington Post* cartoon depicting  
Waldheim trying to outdistance his  
Nazi military past. (U//FOUO)

information about KGB influence in the UN secretariat." Herzstein claimed that the Agency's failure to reveal the existence of the British report was the result of "incompetence or a pattern of protection."<sup>42</sup> (U)

### The Push for Disclosure (U)

Following the collapse of communism, public clamor increased for the release of secret files from the Cold War years. Allegations

<sup>42</sup> Arthur Spiegelman, "CIA Held File on Waldheim War Role: Record Names Former UN Leader as German Intelligence Liaison," *The Washington Post*, 30 November 1989, p. A51. (U)

that the Agency had played a role in the assassination of President John F. Kennedy grabbed headlines after the release of Oliver Stone's movie "JFK" in 1992, and legislation requiring the release of relevant files followed. Through the years, the American public had remained suspicious about the CIA's relationship with Nazi war criminals, and Kurt Waldheim became the key that unlocked those classified cabinets at Langley, too. (U)

The first volley of this new campaign appeared in the form of a letter from Elizabeth Holtzman, comptroller of the City of New York, to DCI Robert Gates in March 1992.<sup>43</sup> Holtzman, a former Congresswoman and a candidate for the US Senate, requested that the CIA release its files on Nazi war criminals. Providing several names (although not Waldheim's), she noted that the US government had protected Nazi war criminals and, in some cases, arranged their immigration to the United States. "In the process of employing these people and bring them to safe haven in the United States and elsewhere," Holtzman said, "laws were broken, lies were told, and the President, Congress, other government agencies and the public were deceived. But we still don't know the whole story," she claimed. "Forty seven years after the end of World War II, it is time for the American

<sup>43</sup> Holtzman also wrote to President George H. W. Bush. (U)

people to find out the truth."<sup>44</sup> (U)

In August 1992, Adm. William O. Studeman, as Acting DCI, replied to Holtzman's letter, promising that the Agency would review its files for records on Nazi war criminals and transfer them to the National Archives. He did not provide a timeline for such action—the Agency's review of records relating to President Kennedy's death had higher priority—and he cautioned that it might be difficult to locate relevant material.<sup>45</sup> Studeman's letter quickly made its way to the *New York Times*. "In a change of policy that could provide new information about American recruitment of Nazi war criminals after World War II, the Central Intelligence Agency says it has begun to systematically search its records with the aim of opening long-secret files to historians' scrutiny," the paper reported.<sup>46</sup> (U)

This optimistic announcement soon became mired in controversy. Studeman's letter inadvertently had stated that the Agency had not located any records on one of the individuals requested by Holtzman. This brought a frenzied cry from

<sup>44</sup> Elizabeth Holtzman to DCI Robert Gates, 26 March 1992, copy of the letter in CIA History Staff files. (U)

<sup>45</sup> Adm. William O. Studeman to Holtzman, 10 August 1992, copy of the letter in CIA History Staff files. (U)

<sup>46</sup> Ralph Blumenthal, "CIA is Planning to Unlock Many Long-Secret Nazi Files," *New York Times*, 10 September 1992, p. B8. (U)

“

**The CIA failed to  
follow up on Acting  
DCI Studeman's  
promise to locate and  
review records  
pertaining to Nazis.**

”

John Loftus, a former attorney with the Office of Special Investigations, who claimed that he had seen such records while working for the Justice Department.<sup>47</sup> After that point, the CIA failed to follow up on Studeman's promise to locate and review records pertaining to Nazis. In the end, the Agency made no effort to do anything about these files. (U)

In May 1994, A. M. Rosenthal again took up his pen in the editorial pages of the *New York Times*, musing about "the Waldheim file" and how Waldheim had escaped his past for so many years. Rosenthal again drew upon Prof. Herzstein's research to highlight the gaps in the public's knowledge of the Austrian politician, who had by this time completed his term as president and retired from all official duties.<sup>48</sup> Herzstein maintained that Waldheim "was protected by the US government, provided information in return for that protection and profited from the government's willingness to obliterate his wartime service."<sup>49</sup> (U)

<sup>47</sup> Ralph Blumenthal, "Nazi Hunter Says CIA Has Files on Man Accused of War Crimes," *New York Times*, 17 September 1992, p. B10. (U)

<sup>48</sup> After his 1988 book, Herzstein continued to research Waldheim's service in World War II and to speculate on his post-war activities. See Robert E. Herzstein, "The Life of Dr. Kurt Waldheim, 1938-1948: Sources in the National Archives," in George O. Kent, ed., *Historians and Archivists: Essays in Modern German History and Archival Policy* (Fairfax, VA: George Mason University, 1991), pp. 287-297, and Herzstein, "The Present State of the Waldheim Affair: Second Thoughts and New Directions," in Gunter Bischof and Anton Pelinka, eds., *Austrian Historical Memory and National Identity* (New Brunswick, NJ: Transaction Publishers, 1997), pp. 116-134. (U)

Frustrated with other attempts to obtain the Agency's holdings on Waldheim, Rosenthal urged the US Congress to pass legislation "preventing government agencies from denying information about World War II war crimes."<sup>50</sup> New York Congresswoman Carolyn B. Maloney took up Rosenthal's and Herzstein's platform in a 12 July 1994 letter to her colleagues on Capitol Hill pushing for a "War Crimes Disclosure Act." Forwarding a copy of Rosenthal's editorial, Maloney expressed shock that "the CIA withheld critical information about Kurt Waldheim's Nazi past from the public." She sought a cosponsor to close the loopholes in the Freedom of Information Act that allowed the Agency to withhold information about war criminals.<sup>51</sup> (U)

<sup>49</sup> A. M. Rosenthal, "The Waldheim File," *New York Times*, 24 May 1994, p. A19. (U)

<sup>50</sup> *Ibid.* Rosenthal's editorial evoked an immediate reaction in the CIA and a search for information pertaining to the Austrian. See [ ] Office of the Director, Executive Secretariat, to SA/DDO, "Commentary on Newspaper" 25 May 1994, (S/NF), and [ ] Chief, External Inquiries Branch, IMS, to [ ] Office of the Director, Executive Secretariat, "Your Request dated 25 May 1994," 26 May 1994, DOR-03886, (S/NF), both in Waldheim, File 201-0896881, DO Records. (S/NF)

<sup>51</sup> Carolyn B. Maloney, letter to colleagues, 12 July 1994, copy of the letter in CIA History Staff files. (U)

Maloney introduced her bill, cosponsored by six other congressmen, on 12 August 1994. It was referred to three committees in the House of Representatives, but it lacked a companion bill in the Senate. Rosenthal informed the readers of the *New York Times* that Representative Maloney had introduced the bill. "It is an overdue piece of legislation, important to justice and history," he wrote. "The key to the Waldheim file is right there on the table, waiting for Congress to pick it up and use it."<sup>52</sup> (U)

#### The Agency's Reaction (U)

The CIA opposed the legislation. **John Greer**, a member of the Agency's Office of Congressional Affairs, warned that the War Crimes Disclosure Act would strip the Agency of its ability to protect information under the National Security Act of 1947 and protect the identities of CIA officers.<sup>53</sup> Although Maloney's bill failed to move in the House in the waning hours of the 103rd Congress, she reintroduced it when the new Congress convened in March 1995. This time it had 17 cosponsors, and it began to make its way through hearings. (U)

<sup>52</sup> A. M. Rosenthal, "The Waldheim Bill," *New York Times*, 19 August 1994, p. A27. (U)

<sup>53</sup> [ ] Office of Congressional Affairs, to Director of Information Management, Information and Privacy Coordinator, Director of the Center for the Study of Intelligence, and Litigation Division, Office of General Counsel, "War Crimes Disclosure Act (H.R. 4955)," 23 August 1994, OCA 94-2161, (no classification listed), copy in CIA History Staff files. (U)

“

**Waldheim was  
included in the CIA's  
first release of Nazi  
“name file” holdings in  
2001.**

”

In the summer of 1996, Rosenthal again led the charge, proclaiming that “for a full half-century, with determination and skill, and with the help of the law, US intelligence agencies have kept secret the record of how they used Nazis for so many years, what the agencies got from these services—and what they gave as payback.”<sup>54</sup> Once again, he advocated that Congress demand the release of the Federal government’s holdings on Waldheim, whom he now described as a possible “big power groupie” who worked for all sides during the Cold War. In late September 1996, the House approved the Maloney bill. Daniel P. Moynihan, the powerful New York Senator, took up the drive in the US Senate. (U)

Bad press for the Agency continued. In December 1996, *Parade Magazine*, a widely distributed insert to Sunday newspapers, claimed: “There are thousands of Nazis still being pursued for war crimes they committed more than 50 years ago . . . [and] the CIA is one of the obstacles to finding those alive today.” According to the article, “The Agency intervened in October to weaken the War Crimes Disclosure Act, which would have opened US intelligence files on Nazi war criminals to those engaged in hunting them. Why? National embarrassment. The US helped some Nazis after the war if they were useful in fighting the communists.”<sup>55</sup> (U)

<sup>54</sup> A. M. Rosenthal, “Ms. Maloney and Mr. Waldheim,” *New York Times*, 25 June 1996, p. A21. (U)

Congresswoman Maloney’s efforts succeeded when President Clinton signed the Nazi War Crimes Disclosure Act (Public Law 105-246) on 8 October 1998.<sup>56</sup> Earlier that summer, the House had ratified the Senate’s version of the bill requiring the disclosure of records related to Nazi war crimes and criminals. The Senate’s language called for an interagency working group (IWG) to facilitate the review and release of government records. In January 1999, the President appointed three public members, including Agency critic Elizabeth Holtzman, to this task force to oversee the declassification efforts of a number of Federal

<sup>55</sup> “House Votes to Release Data on Nazis,” *Washington Times*, 25 September 1996, and “CIA is Obstacle in Hunt for Nazis,” *Parade Magazine*, 22 December 1996, p. 7. (U)

<sup>56</sup> Public Law 105-246, “An Act to Amend Section 522 of Title 5, United States Code, and the National Security Act of 1947 to Require Disclosure under the Freedom of Information Act regarding Certain Persons, Disclose Nazi War Criminal Records without Impairing Any Investigation or Prosecution Conducted by the Department of Justice or Certain Intelligence Matters, and for Other Purposes,” and Samuel R. Berger, Assistant to the President for National Security Affairs, to Secretary of State, *et al.*, “Implementation of the Nazi War Crimes Disclosure Act,” 22 February 1999. Copies of both documents are located in CIA History Staff files. In 2000, the Nazi War Crimes Disclosure Act and its implementing directive were amended to add records pertaining to the Imperial Japanese government between 1931 and 1945. (U)

agencies and departments.<sup>57</sup> The new members quickly focused on the CIA and its holdings on Kurt Waldheim. (U)

#### Release of the File (U)

The Agency released its holdings on Waldheim in 2001. He was included in the CIA’s first release of its Nazi “name file” holdings, which included Adolf Hitler, Josef Mengele, Adolf Eichmann, Heinrich Mueller, and Klaus Barbie. Waldheim clearly did not fit easily with this group of major Nazi figures and war criminals; yet, the release of his records was an important step in the eyes of the public and an important clearing of the air for the Agency itself. Steven Garfinkel, chairman of the IWG, remarked in April 2001: “I have worked with CIA on declassification issues for more than 20 years, and, in my experience, the level of cooperation that the IWG has received is unprecedented. That support includes the commitment of Director George Tenet. These disclosures add significant new information about this most critical juncture of world and American history.”<sup>58</sup> (U)

<sup>57</sup> The White House, Office of the Press Secretary, “President Clinton Names Thomas Baer, Elizabeth Holtzman, and Richard Ben-Veniste as Members of the Nazi War Crimes Records Interagency Working Group,” 11 January 1999. Copy located in CIA History Staff file. (U)

<sup>58</sup> Nazi War Crimes and Japanese Imperial Government Records Interagency Working Group Press Release, “Nazi War Crimes Disclosure Act Prompts Rare Release of CIA ‘Name Files,’” 27 April 2001. Copy located in CIA History Staff files. (U)

Despite the information release, the Austrian diplomat remains a controversial figure. The declassified data proved to be a disappointment to those expecting them to reveal a relationship between the Agency and the former UN Secretary General. Waldheim's 201 file contains no information to indicate that the US government had any intelligence interest in him prior to his rise to the top at the United Nations. The records demonstrated that the CIA had no affiliation with Waldheim either in postwar Austria or while he was Secretary General.<sup>60</sup> Nor did his file provide any leads as to Waldheim's wartime career (beyond the long-awaited US release of the 1945 S.I.M.E. report) or information about whether the American government suspected the Soviets or the Yugoslavs of using Waldheim after World War II. The IWG, in its press release in the spring of 2001, simply stated that the file indicated that "former UN Secretary General Kurt Waldheim was not an intelligence resource for the United States, and the CIA could not conclude that the

Soviet Union used or blackmailed Waldheim with information about his Nazi past."<sup>60</sup> (U)

Interestingly, the document release turned out to be a non-event in the eyes of the media.<sup>61</sup> Unlike the high-level attention that Rosenthal had given to the Waldheim issue in the editorial pages of the *New York Times* when the legislation was pending, there was no comparable attention in April 2001. (U)

The American press also neglected to pick up on the story that Austria's foreign minister, Benita Ferrero-Waldner, appealed to Secretary of State Colin Powell in May 2001 to have Waldheim's name removed from the Watch List. "Our official relations and political cooperation with the United States," the foreign minister commented, "are so good and intensive that a solution in this tiresome issue must be possible! The most recent publication of official (CIA) files underlines that it is not justified to maintain such a far-reaching decision."<sup>62</sup> With

some embarrassment, the Department of State simply announced that the "secretary made it clear that we're not in a position to change the US government's determination on Mr. Waldheim, and the secretary took no new positions on the matter." Richard Boucher, Secretary of State Powell's spokesman, noted that "we think that the position that he's taken is well justified. CIA files don't really provide any new or relevant information on the case. They don't change our decision with respect to his (Waldheim) inclusion in the look-out."<sup>63</sup> (U)

### The Waldheim Matter in Retrospect (U)

The CIA repeatedly showed poor handling of the Waldheim case. Although the Agency and its predecessors had no relationship with the Austrian diplomat, the refusal to declassify information on him in CIA files resulted in the Congressional action forcing the CIA and other Federal agencies and departments to review and release millions of pages of material dating to the earliest days of the CIA and its predecessors. Had the Agency taken steps voluntarily to release information when the Waldheim case exploded on the international scene in 1986, it is possible that Congress would never have enacted the Nazi War Crimes Disclosure Act. Because the CIA refused to release selected material on

<sup>59</sup> Waldheim's name, for example, does not appear in the alphabetical section of the 1951 master index card list of sources belonging to the 430<sup>th</sup> Counter Intelligence Corps Detachment in Austria. For further details on this card file (microfilmed by CIA in 1951), see [☞](#) Acting Chief, EE/A to Chief, RI, "Microfilm of Sources Records, 430<sup>th</sup> CIC Det., Austria (1951). 13 October 1955," in DO Records, Job [☞](#) [☞](#) Box 6, Folder 101, CIA Archives and Records Center. A copy is also located in DO Records, Job [☞](#) [☞](#) Box 1, Folder 1, CIA Archives and Records Center. The eight reels of CIC microfilmed records are located in DO/IMS, Central Files, at CIA Headquarters. (S)

<sup>60</sup> IWG Press Release, 27 April 2001. (U)

<sup>61</sup> For an interesting perspective on the media's role in the Waldheim case, see John R. Mapother, *News as Entertainment: How Austria's Anti-Nazi President Became America's Favorite Nazi Culprit* (Potomac, MD: privately published, 1999). Mapother, a retired CIA officer, took up Waldheim's cause in the United States and is a vocal critic of the decision to exclude him. (U)

<sup>62</sup> FBIS translation, Hermi Amberger and Daniela Kittner, "Unsuccessful Mission in Washington," *Vienna Kurier*, 24 May 2001. See also FBIS translation, interview of Austrian Foreign Minister Benita Ferrero-Waldner by Kurt Seinitz, "Initiative in the United States to Lift 'Watchlist' Decision against Waldheim," *Vienna Neue Kronen-Zeitung*, 20 May 2001. (U)

<sup>63</sup> US Refuses to Take Waldheim Off Nazi 'Watch List,' 23 May 2001, from website <http://english.peopledaily.com>. (U)



UNCLASSIFIED FOR OFFICIAL USE ONLY

UN Secretary General Waldheim at a Security Council meeting, 1979. (U//FOUO)

Waldheim and Nazis in general, the US government is now spending millions of dollars and expending scarce manpower resources to do so under a law targeted specifically at one agency. (U)

The Agency's poor track record on Waldheim had begun long before the Austrian's past became controversial in 1986. The fact that the CIA performed only rudimentary checks on Waldheim when he became Secretary General of the United Nations in the early 1970s is inexcusable. Rather than accepting his personal account of his wartime activities—which skimmed from 1942 (after his return home from Russia) until 1945 (when he joined the new Austrian Foreign Ministry)—analysts should have questioned just

what was he doing during those crucial missing years. As the tide of the war turned against the Nazis, few German males avoided military service, especially to attend law school. The Agency could have performed a more in-depth examination of Waldheim's military career and his assignments both at the National Archives in Washington and at the French-run *Wehrmachtauskunftstelle* (the German Wehrmacht Information Office) in West Berlin. While the CIA inquired if Waldheim had been a Nazi party member by checking the NSDAP files in the State Department's Berlin Documents Center, this was an insufficient vetting of such a leading international figure. (U)

To make matters worse, the Agency refused to release the

only real record that it had on Waldheim's wartime service—the scanty information listed in the 1945 British interrogation report. Once that document surfaced in 1986, the CIA should have worked immediately and intently with the British to find a way to release the S.I.M.E. report. The report's innocuous and outdated information far outweighed any harm that would have resulted in the 1980s. By failing to arrange for release of this World War II report, the Agency only fueled public and Congressional suspicions that it sought to shelter Waldheim. (U)

The Agency also adopted a cavalier attitude towards members of Congress during the Waldheim investigations, even telling one Congressman to file a FOIA request for the 1945 British report. It maintained this bearing through the 1990s, refusing to honor the promise of Acting DCI Studeman to declassify material related to Nazis. As a result, millions of pages of documents from the 1940s remained in the CIA's classified vaults. Public pressure forced Congress to break this logjam—at both great cost and untold damage to the CIA's image. Only after 1998 were the American people, at long last, able to view the final secrets from a war 50 years earlier. (U)

The Waldheim case should not be seen solely through the prism of World War II or Nazi war crimes. The Agency should heed the lessons from the Waldheim experience because the

chances are high that a similar incident will happen again. In the aftermath of the Cold War, a new generation of world leaders has come of age. Some of these men and women may have pasts that they want to conceal as they assume new mantles of leadership in the 21st century. Some may wish to hide or obfuscate what activities they performed in the old Soviet Union or its puppet governments in Eastern Europe.

“  
**The CIA simply cannot afford to let someone else with a reprehensible past rise to a position of global prominence.**

”

Others may hold secrets about sinister activities in the Balkans or in the Middle East, Africa, Asia, or Latin America;

and some may be linked to various terrorist groups. Intelligence analysts need to dig below the surface and study these individuals in depth. Despite today's information overload, it often takes old-fashioned detective work and historical research to piece together a person's past. The Central Intelligence Agency simply cannot someone else with a reprehensible past rise to a position of global prominence. (U)